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November 22, 2011

**BY ECF**

Honorable Steven M. Gold  
United States Chief Magistrate Judge  
United States District Court  
225 Cadman Plaza East  
Brooklyn, New York 11201

RE: P.A., Jr. v. City of New York, et al., 10-CV-04661

Dear Judge Gold:

On behalf of P.A., Jr. ("P.A.") and pursuant to this Court's direction at the September 27, 2011 Initial Conference (memorialized in the 9/28/2011 Minute Entry) that "[a]ny party seeking to raise a subject to be addressed at the [November 28] conference shall submit a letter so stating by November 22," we provide the following list of subjects we believe should be addressed at the November 28, 2011 conference:

- The status of P.A.'s request for disclosure of the NYPD Investigative File.
- The inadequacy of Defendants' initial disclosures pursuant to Federal Rule of Civil Procedure 26(a).
- Defendants' failure to comply with their discovery obligations under the Federal Rules of Civil Procedure and this Court's Orders by not producing responsive documents and/or exchanging responses to P.A.'s First Request for Production of Documents or P.A.'s First Set of Interrogatories on or before November 21, 2011.
- Defendants' failures to comply with this Court's Individual Practice Rule 2(a) and Eastern District of New York Local Rule 37.3(a) before raising objections to, *inter alia*, P.A.'s discovery requests, P.A.'s responses and

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objections to Defendants' discovery requests and P.A.'s production of non-privileged responsive documents.

Respectfully submitted,

/s/ Jonathan J. Lerner  
Jonathan J. Lerner

cc: All counsel (via ECF)